

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS S. MANFRE,

Plaintiff,

V.

JEROME MAY, WILLIAM MAY,
DAVID MAY, and R&M FREIGHT,
INC.,

Defendants.

Case No. 08 C 1281

Judge Matthew J. Kennelly
Magistrate Judge
Michael T. Mason

**DEFENDANTS' AGREED MOTION FOR EXTENSION OF TIME TO
FILE THEIR ANSWERS OR OTHERWISE PLEAD**

NOW COME Defendants, JEROME MAY, WILLIAM MAY and DAVID MAY (collectively, the “May Brothers”), by and through their attorneys, LOWIS & GELLEN, LLP, and pursuant to Fed.R.Civ.P. 6(b)(1), move this Honorable Court for the entry of an order enlarging the time, by an additional seven (14) days, to file their Answer and/or Responsive Pleading to Plaintiff’s Complaint (Doc. 1), and in support of this Motion, state as follows:

1. Plaintiffs filed their Complaint (Doc. 1) in this Court on March 3, 2008. The May Brothers were served with summons on March 5, 2008 (Docs. 7, 9, 10).

2. Normally, under Fed.R.Civ.P. 12(a)(1)(A)(i), the May Brothers would be required to answer or otherwise plead within 20 days of service summons, or by March 24, 2008.

3. Counsel for all Defendants and have been conducting investigations for purposes of confirming and substantiating their answers, affirmative defenses and

potential counterclaims that they intend to allege. Despite diligent efforts, counsel has been unable to interview all witnesses with personal knowledge or obtain copies of all relevant documents for purposes of substantiating their intended responses.

4. To that end, Defendants' counsel have conferred with Plaintiff's counsel, Matthew J. O'Hara of the law firm of Reed Smith, LLP, who has indicated that he would not oppose an extension of time for Defendants to answer or otherwise please, and would waive notice of the instant Motion.

5. This request for additional time is made for good cause shown and in the interests of substantial justice and fairness, and is not made for purposes of undue delay or harassment.

WHEREFORE, for the foregoing reasons, Defendants JEROME MAY, WILLIAM MAY, DAVID MAY and R&M FREIGHT, INC. respectfully request that this Court enter an order enlarging the time for them to answer or otherwise plead from March 24, 2008, to April 7, 2008, and for such further and additional relief as this Court deems just and proper.

Respectfully submitted,

JEROME MAY, WILLIAM MAY, and
DAVID MAY

By: s/Ethan Hayward
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